



**INTERNATIONAL ELECTION OBSERVATION MISSION**

**KOSOVO LOCAL ELECTIONS 2013**

**FINAL REPORT**

## Table of Contents

I EXECUTIVE SUMMARY .....	3
II INTRODUCTION AND ACKNOWLEDGMENTS .....	6
III BACKGROUND .....	7
IV LEGAL FRAMEWORK AND ELECTORAL SYSTEM.....	9
A. Legal framework .....	9
B. Electoral system .....	9
V ELECTION ADMINISTRATION .....	11
A. Election administration .....	11
VI CANDIDATE REGISTRATION.....	14
VII VOTER REGISTRATION AND VOTERS' LISTS .....	15
A. Voter registration.....	15
B. Voters' list .....	15
C. Out-of-Kosovo Voting and Conditional Voting.....	16
VIII ELECTION CAMPAIGN .....	18
IX MEDIA .....	20
X PARTICIPATION OF NATIONAL MINORITIES.....	22
XI PARTICIPATION OF WOMEN .....	24
XII ELECTION OBSERVATION MISSIONS .....	25
XIII ELECTION DAY .....	26
A. First round of local elections, held on 3rd of November.....	26
B. North Mitrovica repeated voting on 17th of November, 2013 .....	27
C. Second round of elections, held on 1st of December 2013 .....	28
D. Repeated Elections in North Mitrovica, held on 23rd of February 2014 .....	29
XIV COUNT AND RESULT CENTER .....	30
XV COMPLAINTS AND APPEALS .....	31
XVI ANNOUNCING OF FINAL RESULTS OF ELECTIONS .....	33
XVII RECOMMENDATIONS .....	34
A. Proposals for the Parliament .....	34
B. Proposals for the Government .....	35
C. Proposals for the CEC and CECS.....	36
D. Proposal to the Prosecution and Courts .....	38
E. Proposal to Independent Media Commission.....	38
F. Proposal to Media and Civil Society.....	39
ABOUT ENEMO.....	40
USED ACRONYMS.....	41

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## **I EXECUTIVE SUMMARY**

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Following an invitation from the President of the Republic of Kosovo, Mrs. Atifete Jahjaga, the European Network of Election Monitoring Organizations (ENEMO) deployed an Election Observation Mission (EOM) to observe the Kosovo Local Elections held on 3rd of November 2013, as well as the re-run of the 1st round in North Mitrovica and the 2nd round of local elections on 1st of December.

The 2013 Municipal and Mayoral elections are the second local elections organized by the authorities of the Republic of Kosovo, and the first, where elections have been organized by Kosovo authorities in the whole territory of the country .

The elections were held after Pristina and Belgrade authorities, with the facilitation of the EU reached the “First Agreement of Principles Governing the Normalization of Relations”, a document which became a starting point for integration of municipalities from the North of Kosovo, with Serbian majority. Document is introducing a model of autonomy for municipalities with Serbian majority, as well as other institutional guaranties for the Serbs in Kosovo.

On 1st October 2013, ENEMO’s Core Team arrived to Pristina and prepared the deployment of 12 long-term observers in 6 teams, covering the whole territory of Kosovo. They were monitoring the pre-election environment, including the political campaign and activities of the election administration prior to the 3rd November elections. On the Election Day for the 1st round ENEMO deployed 34 election observers from its member organizations to observe 221 polling stations, throughout all municipalities in Kosovo. ENEMO has monitored the Repeated Elections in North Mitrovica on 17th of November with 6 observers in 3 teams. On the Election Day for the 2nd round of local elections, ENEMO deployed another 28 election observers from its member organizations to observe 155 polling stations, in remaining 25 municipalities of Kosovo, including the repeated elections in 3 PSs in Zvecani.

The election process was assessed on the basis of international standards for democratic elections and the national legislation. ENEMO issued three preliminary statements. First preliminary statement was issued on 5th of November 2013, regarding the first round of elections. Second preliminary statement covering re-run in North Mitrovica was issued on 19th of November. Last preliminary statement, which was issued on 3rd December included findings and conclusions for the second round of mayoral elections.

Municipal and mayoral elections in the Republic of Kosovo met many international standards for democratic elections, although some issues, including abuse of state resources, pressure on voters, family voting and violence in several polling stations raise certain concerns.

The first round of local elections in Kosovo was efficiently administered and conducted in a peaceful atmosphere in most of the country, marred by inaccuracies in the voters’ list and numerous mistakes of polling station commissioners during the packing of election materials and fulfilling the forms. However, the failure to guarantee the security and order, combined with the complex political situation in the North, led to a number of voters being unable to freely exercise their voting rights, especially in the municipality

of North Mitrovica. The situation in the North of Kosovo has made the ENEMO Mission withdraw its Short Term Observers (STOs) during E-day, due to security issues.

The re-run of the 1st round of local elections in North Mitrovica was conducted efficiently and administered in a peaceful atmosphere in all Polling Centers, with occasional procedural shortcomings. Institutions in charge of security have put significant efforts in providing an adequate number of security forces in the North Mitrovica and, at the same time have managed to provide safe and calm preconditions for voters to express their electoral will freely and peacefully.

The second round of mayoral elections in Kosovo was efficiently conducted by election management authorities. Election Day of the second round was peaceful and reflected further improvements in the conduct of the voting process, as well as counting and closing procedures of Polling Station Commission (PSC), despite several cases of registered cases of violence at polling stations.

Generally, observers evaluated the opening, voting, counting, and tabulation processes positively. With regards to the counting 77% of the visited PSs were marked as good or very good, all due to negligence, whereas 23% were marked as inappropriate by ENEMO observers. Performance of PSCs were evaluated by ENEMO observers more positively in the second round. An overall of 95% of them were evaluated as very good or good in the second round of mayoral elections.

The local elections were regulated by a comprehensive legal framework that generally provided an adequate basis for the conduct of democratic elections. However, outstanding issues relating to the reform of the electoral framework remain, including removing inconsistencies and ambiguities. The Working Group on Elections has failed, until these elections and after several years of work, to review the electoral framework.

The performance of Central Election Commission (CEC) and Central Election Commission Secretariat (CECS) has been professional in most electoral activities. The performance of CEC and CEC Secretariat has significantly improved compared to the previous elections in Kosovo monitored by ENEMO, especially in terms of human and technical resources and transparency. However, the current composition of CEC, largely composed of political representatives, opens space for strong political influence on CEC's decisions and undermines the integrity and impartiality of CEC, as well as the authority of the President of CEC, deriving from the judicial background. Imprecise legal provisions and lack of transparency regarding the appointment process of MEC and PSC members leaves space for potential misuses and political influence, which can undermine the full legitimacy and may cause lack of trust in the overall integrity of the electoral process, especially regarding local elections. The process of appointment of MECs in the North of Kosovo, together with their performance represented a big challenge for the functioning of an integral system of electoral administration in Kosovo. The unclear role and involvement of OSCE in the local elections in Northern Kosovo municipalities, combined with the lack of coordination and communication between OSCE and CEC was a reason for concern, especially in the first round of elections.

Voters' List, together with the issue of voters' eligibility represents a major challenge of the electoral process in Kosovo, requiring urgent legislative and technical improvements. ENEMO has not registered any improvements in the quality of Voters' List compared to previous elections monitored by our monitoring missions. Inconsistent system of voter registration, inaccurate Civil registry, combined with

confusing and undefined data regarding the identification documents of voters on E-Day leaves space for multiple voting and other misuses.

The elections took place following a relatively dynamic campaign, with a wide range of candidates, from diverse political entities presenting their programs freely, including parties representing national minority interests. Most of Kosovo media outlets broadcasted electoral campaign through news coverage, TV debate programs and political advertisements. There were a number of debates in national and local TVs organized. Media paid particular attention to the campaign in Pristina compared to other municipalities, even though other municipalities were also regularly covered by the media. Security issues and threats made to certain candidates in the North and relatively calm election campaigns of political entities in the rest of Kosovo have marked the pre-election period.

Strong abuse of resources/power has been noticed by ENEMO's teams in most municipalities of Kosovo. Credible information of threats by a number of public officials addressed to citizens (mainly those employed in public institutions) in order for the latter to attend rallies and vote for certain political entities were registered. This appeared to be more obvious in the ethnically mixed communities.

Thirteen mayors were elected in the first round of elections, with the required majority. Second round of mayoral elections was called in 25 municipalities, between the top two candidates. Out of the 38 mayors elected 10 are from the governing PDK, 9 represent LDK, 9 are from GIS, 3 from AAK-LDD, two from AKR. Four parties gain one mayor (SLS, LVV, IQM and KTAP). Only one independent candidate was elected for the mayor. From 9 women candidate only one was elected for the mayor (AKR candidate in Gjakovë).

Mayoral candidate who won majority of votes in second round of elections in North Mitrovica refused to verify his mandate and sign the necessary document endorsing the oath of office on time, therefore, Mayoral elections in this municipality had to be fully repeated. On 23rd of February, North Mitrovica elected a new mayor, from GIS, with 52% of votes.

This report offers recommendations to be considered by authorities of Kosovo and other stakeholders. The ENEMO stands ready to support and assist the continuous efforts of the Kosovar authorities, international community, political parties and civil society to conduct elections in line with international standards and best practices for democratic elections.

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## **II INTRODUCTION AND ACKNOWLEDGMENTS**

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Following an invitation from Kosovo's President of the Republic, to observe Municipal and Mayoral elections in Kosovo, the European Network of Election Monitoring Organizations (ENEMO) deployed an Election Observation Mission (EOM) to observe the elections held on 3 November 2013 as well as the re-run of the 1st round in North Mitrovica and the 2nd round of local elections on 1st of December.

ENEMO's Core Team arrived to Pristina on 1st of October 2013 and prepared the deployment of 6 teams of long-term observers (12 persons in total), covering the entire territory of Kosovo. They were monitoring the pre-election environment, the political campaign and activities of political entities and the election administration, prior to both rounds of local elections. The election process was assessed on the basis of international standards for democratic elections and the national legislation.

On the Election Day in the first round of local elections, ENEMO deployed a total of 34 election observers from its member organizations to observe 221 polling stations, throughout all municipalities in Kosovo. ENEMO LTOs have acted as STOs during E-days in these elections as well. ENEMO has also monitored the Repeated Elections in Polling stations in North Mitrovica on 17<sup>th</sup> of November, with 3 mobile teams of 2 observers, where 6 LTOs were deployed to North of Mitrovica from their areas of responsibility, in order to observe the election process in all 3 Polling Centers. On the Election Day for the 2nd round of local elections, ENEMO deployed 28 election observers from its member organizations, which have observed a total of 155 polling stations, in remaining 25 municipalities of Kosovo, including the repeated elections in all 3 Polling stations in Zvecani.

This statement represents a final assessment of Local elections in Kosovo, based on preliminary findings and conclusions produced after monitoring each round of elections, as well as the entire process of Local Elections in Kosovo 2013. Findings, conclusions and recommendations given in this report should assist Kosovo's efforts to continue the reform process of the entire electoral legislation, in line with international standards, best practices and ENEMO's previous experiences.

The ENEMO Mission wishes to express its appreciation to the Central Election Commission for their cooperation and assistance in the course of the observation, as well all other stakeholders that members of ENEMO have cooperated with.

The ENEMO takes this opportunity to express its highest acknowledgements to the support of donors of the election monitoring mission: United States Agency for International Development (USAID) through National Democratic Institute (NDI), German Federal Foreign Office through the Embassy of the Federal Republic of Germany in Pristina and the Embassy of the Grand Duchy of Luxembourg.

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## III BACKGROUND

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After the violent conflict in the 1990's, a peace agreement brokered by the United Nations Security Council was signed under the conditions outlined in Security Council Resolution 1244, giving administrative authority of Kosovo to the United Nations Mission in Kosovo (UNMIK). Provisional Institutions of Self Government (PISG) were established under UNMIK authority, providing limited self- government to Kosovars.

Under the UNMIK administration, Kosovo has held a number of elections. Two municipal elections (2000 and 2002) and two parliamentary elections in 2001 and 2004 were followed by the local, mayoral and parliamentary elections held on 17 of November 2007. All of these elections were organized and managed by the international community with the Organization for Security and Cooperation in Europe (OSCE) as the leading body.

In 2007, Marti Ahtisaari, the UN Secretary General Kofi Annan's Special Envoy to Kosovo, proposed conditions for independence, which included linguistic, cultural, social and political rights for minority communities, most notably Kosovar Serbs. Several attempts to negotiate the agreement between Belgrade and Pristina failed, whereas in 2008 Pristina declared independence, committing to implement the Ahtisaari package. An International Civilian Representative (ICR) was appointed by the International Steering Group, consisting of countries recognizing the independence in order to be the ultimate supervisory authority over the implementation of the Ahtisaari package.

During a transition period, the Kosovo Parliament, in consultation with the ICR approved a new Constitution and other legislation necessary to implement the Ahtisaari package. The package also called for general and local elections to be held within nine months of its entry into force, but negotiations later led to a changed electoral timetable. One of the key points in the Ahtisaari package was the decentralization plan, whereby a number of new or expanded municipalities with community majorities other than Kosovo Albanian would be established, with extensive autonomy.

Local and mayoral elections were held in most of the planned municipalities on 15 November 2009, with a second round on 13 December. These were the first elections to be organized by the Kosovo authorities and were observed by ENEMO .

A resolution, proposed by PDK, LDK and AKR parties and approved by the National Parliament of Kosovo in April 2011, has opened space for the electoral reform in Kosovo. This Resolution has foreseen the forming of the Electoral Reform Commission, based on the Memorandum, signed a day earlier by leaders of these 3 parties and witnessed by the US Ambassador to Kosovo. After more than 2 years of work of the Electoral Reform Commission, not much has been changed. Majority of the legal framework has remained the same and the Commission is awaiting the local election process to be finished to continue its work.

The 2013 Municipal and Mayoral elections are the second local elections organized by the authorities of the Republic of Kosovo, and the first, where elections have been organized by Kosovo authorities in the whole territory of the country, including the North of Kosovo. The elections were held after Pristina and Belgrade

authorities, with the facilitation of the EU reached the “First Agreement of Principles Governing the Normalization of Relations”, a document which became a starting point for integration of municipalities from the North of Kosovo, with Serbian majority. This document has introduced a model of autonomy for municipalities with Serbian majority, as well as other institutional guaranties for the Serbian minority.



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## **IV LEGAL FRAMEWORK AND ELECTORAL SYSTEM**

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### **A. Legal framework**

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Legal framework for local elections consists of the Constitution of Kosovo, several election related laws<sup>1</sup>, as well as by-laws that have been adopted since the declaration of independence on 17th of February 2008. The Constitution follows the recommendations and obligations set out in the Ahtisaari package, which emphasizes the rights and freedoms granted to minority communities living in Kosovo.

Even though sufficient for holding of elections with a minimum of democratic principles, provisions of the current electoral laws still leave space for different interpretations and potential misuse. CEC had to adopt as many as 17 regulations in 2013 in order to clarify and additionally explain many legal provisions in order to properly conduct local elections. At times, these regulations have gone much beyond, if not different to the legal provisions. It remains an issue why provisions contained in regulations are not incorporated into the law, as they at times define or redefine fundamental elements of the electoral process.

After several years of work, the Working Group on Elections did not manage to review the planned electoral framework until these elections, so local elections had to be organized with all shortcomings of current legislation, previously noted by ENEMO and other domestic and international observers. This Working group is composed of voting members from political entities, the Kosovo Parliament, the CEC, civil society representatives and non-voting advisors/observers from the international community.

A recently adopted law, Law on Financing of Political Parties, regulates how incomes and expenditures shall be reported by political parties.

### **B. Electoral system**

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Local elections in Kosovo are held every four years for municipal assemblies and mayors. The number of members in the municipal Assemblies is proportional to the number of citizens in the municipality, varying from 15 up to 41 members, with the exception of Pristina, which has 51 Assembly members, as the capital city. The municipal Assembly members are elected under the proportional system. Each of the 38 municipalities represents a single electoral district, where seats are allocated among the certified political entities, based on the total votes they receive. The Sainte-Laguë method is used when allocating council seats. There is no legal electoral threshold for local elections. Certified political entities are listed on an open list ballot, where the voter can mark not only the preferred political entity, but also one of

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<sup>1</sup>Constitution of the Republic of Kosovo, Law No. 03/1-073 on General Elections in the Republic of Kosovo, Law No. 03/1 –256 on Amending and Supplementing the Law No. 03/1-073 on General Elections in the Republic of Kosovo and Law No. 03/1-072 on Local Elections in the Republic of Kosovo.

candidates from the same entity, aside the first candidate on the list, which is automatically elected. The candidate names do not appear on the ballots, but are represented by pre-assigned numbers. When voting, the voter can find the number for each candidate in a separate booklet and other election materials, provided by the CEC.

A gender quota requires political entities to include at least 30% of the minority gender on the party lists. This is done by having a minimum of every third candidate being of the minority gender. Among the seats allocated to a political entity, the gender that has received fewer seats shall have at least 30% of the total seats received by the party. If this is not the case, the elected majority gender candidate with least votes shall be replaced by the next minority candidate on the entity list. The replacements will continue until the minority gender has reached at least 30% of the seats. The mayors are elected according to the majority system, and if no candidate wins more than 50% plus one of the total votes cast in the first round of elections, a second round will be held four weeks after the first round, for the first two candidates.

Voters living out of Kosovo had the right to vote through by-mail voting in both rounds of elections, if they met all legal requirements.

Conditional voting in Kosovo allows all voters that are not found in the Voters' list of a specific polling station to cast a vote, if they meet other legal criteria as a voter. Special Needs Voting is a name for specific voting procedures that are being followed for those voters who cannot vote in person at the PS to which they are assigned on Election day, which are eligible to vote in Kosovo.

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## V ELECTION ADMINISTRATION

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### A. Election administration

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Election administration in Kosovo is consisted of a three level system: the Central Election Commission (CEC), Municipal Election Commissions (MEC) and Polling Centers/Polling Station Committees (PC/PSC).

According to the Article 139 of the Constitution of Kosovo, the **Central Election Commission (CEC)** is a permanent independent body responsible for organization and implementation of elections in Kosovo. The main roles of CEC are: regulating the electoral process through adoption of Electoral Rules, maintaining the Voters' List and supervising the election process. The CEC consists of 11 members: a chairperson appointed by the President of the Republic of Kosovo from the judges of the Supreme Court, or appellate courts, and 10 members appointed, as a result of nominations made by parliamentary groups represented in the Kosovo Parliament. 6 members are appointed by the largest parliamentary groups, whereas 1 member is appointed by MPs holding seats reserved for Kosovo Serb Community and 3 members are appointed by the MPs holding seats reserved for other communities. **The CEC is supported by a Central Election Commission's Secretariat (CECS)**, performing the technical aspects and activities related to the electoral process. There is also the **Count and Results Center (CRC)**, where conditional ballots, out-of-Kosovo ballots, and any regular ballots, as required by the CEC or ECAP are counted, reconciliation and results forms from all polling stations are audited and tabulated, and the final results are compiled.

**Election Complaints and Appeals Panel (ECAP)** is a separate institution consisted of judges from the District and Supreme courts, which is, according to Article 115 of the Law on General elections a permanent independent body competent to adjudicate complaints and permitted appeals concerning the electoral process.

The 38 **Municipal Election Commissions (MEC)** are established by the CEC as local branches, one in each municipality to assist in performing its administrative and operational duties on municipal level. The MECs generally consist of 7 or more members<sup>2</sup>, appointed from nominations of the political entities that have passed the 5% threshold at the previous Kosovo parliamentary elections, but the CECS can also suggest other suitable candidates from NGOs or academic institutions. The community parties with the reserved seats in the Kosovo Parliament can also have members at the MEC.

CEC has appointed most MEC and PC/PSC members in time (15 days after the announcement of elections), except in the North of Kosovo. Even though CEC has officially approved MEC members in the North of Kosovo and was in charge of providing them with salaries and election materials, all other activities related to organization of elections in the North of Kosovo were facilitated by the OSCE. During the first round of elections, CEC has made public complaints towards OSCE regarding their conduct, claiming that the OSCE is not fully respecting the agreement with CEC, that OSCE does not file any reports, nor provide any feedback from the North of Kosovo to CEC. At the same time, it remains unclear

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<sup>2</sup> Art. 67.1 of the Law on General Elections

what was the base for deciding upon the composition of MECs in the North of Kosovo. The unofficial explanations that ENEMO has received stated that due to a fact that the North did not participate in previous local elections in Kosovo, MECs could not reflect any composition of political entities from the local Assemblies.

According to both: the electoral legislation and practice, MECs in Kosovo do not play a significant role in the entire process and they do not share an adequate proportion of the responsibility with the CEC, what makes the entire process highly centralized. This issue is even more visible during local elections, where MECs mainly play the role of administrative assistance to the CEC and where CEC has the power to replace any MEC, PC or PSC member at any time and without any strong reason.

At the precinct level, **Polling Station Committees (PSC)** are responsible for managing the polling stations on Election Day and first counting of ballots. For these elections, a total number of 2366 PS were formed before the first round of elections. According to the Law PSC composition shall reflect the composition of the MEC<sup>3</sup> and, in addition the CECS may invite newly certified parties to submit additional nominations for PSCs. Each PSC member is obliged to act impartially regardless of political party affiliation. One or more polling stations are located in a single **Polling Center (PC)** and, in most cases they are set up in schools or community facilities. The chairpersons of a polling station committee shall be chosen equally<sup>4</sup> between the four certified Political Entities that received the most votes during the last Kosovo Assembly election in that municipality. CECS invites all certified Political Entities represented in the Assembly of a Municipality that are contesting national elections<sup>5</sup> to submit nominations of persons they wish to be appointed to the PSCs established within their Municipality.

These articles regarding the PSC seemed confusing at times in terms of the number of members of a PS<sup>6</sup>, as well as the type of elections (national, or local) that the composition of PSC should reflect. CECS stated that they use a "special formula" in determining the composition and number of PSC members. Since there is no visible transparency of such formula, and also the fact that if required<sup>7</sup>, the CEC has the authority to appoint PSC members that do not meet the requirements of the article 77 of the Law at its sole discretion. Besides, numerous complaints to ENEMO by its interlocutors have additionally demonstrated that the composition of PSC members caused a slight concern for the objective control of the electoral process at the lowest level, in terms of adequate representation of all interested stakeholders (local political entities, CSOs, individuals - election professionals, etc.). Most of the new political entities that have run for elections in some municipalities had no representatives in MECs and had a limited number of PSC members, which might have influenced the overall level of legitimacy of the entire election process.

However, Central Election Commission, including the CEC Secretariat, have maximized their efforts to conduct these municipal elections in a timely and professional manner, despite all challenges and obstacles, as well as the limited timeframe for conducting all necessary legal duties and actions. Besides the regular activities of the CEC (creating electoral rules for elections and monitoring of their implementation in practice, election of MEC and PC/PSC members, voter education, preparation of all

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<sup>3</sup>Art. 74.1 of the Law on General Elections

<sup>4</sup>Art. 77.3 of the Law on General Elections

<sup>5</sup>Art. 76.2 of the Law on General Elections

<sup>6</sup>e.g. In the first round of elections, according to ENEMO observers, the average number of polling station members, in visited PSs was 5 to 6 persons.

<sup>7</sup>Art. 77.4 of the Law on General Elections

election related materials, party registration, receiving and adjudicating of various requests, K-Vote 2013, etc.), which were conducted professionally and timely, the CEC also had to deal with the maintenance of the VL and requests for out-of-Kosovo voting. Besides the updating/maintaining of voters' lists for in-Kosovo voters and based on the Civil Registry of Kosovo, the CEC has received more than 41.000 requests for out-of-Kosovo voting, what was an impressive and unexpected figure, especially compared to previous elections and CEC Secretariat's available capacities. Due to this large number of out of Kosovo voting requests, CEC had to recruit around 300 temporary staff in order to review and decide upon all these requests. Even though the conduct and professionalism of CECS has significantly improved since previous elections in Kosovo that ENEMO has monitored, there is still a need for higher transparency of the Secretariat's work and decisions, at least on CEC website during elections in order to increase the overall legitimacy and trust in the integrity of the overall electoral process.

The performance of CEC and CEC Secretariat has significantly improved compared to previous elections in Kosovo monitored by ENEMO, especially in terms of human and technical resources and transparency. Nevertheless, current composition of CEC, which is largely composed of political parties' representatives, leaves space for strong political influence on CEC's decisions and undermines the integrity and impartiality of CEC, as well as the authority of the President of CEC, whose professional background derives from the judiciary. Having in mind the fact that CEC also adopts rules that additionally define and explain many legal provisions, which highly increases the role of CEC above an ordinary elections' administration body, the highly political composition of CEC is very questionable in terms of professionalism, objectivity and sharing of responsibility during the electoral process.

The 1st round of Elections has shown that CECS and MECs either failed to choose adequate PSC members throughout Kosovo, or that the trainings for PSCs were not appropriate, as more than 500 ballot boxes were held in the quarantine by CRC, due to inconsistent data in counting/closing forms, or inappropriate packing of materials after the closing of PSs. This number represents around 23% of total number of PSs in Kosovo. Majority of these ballot boxes had to be audited and many of them re-counted, mostly due to negligence and/or lack of professionalism and knowledge of PSC members about the procedure. Besides all above mentioned shortcomings of Kosovo's legal provisions regarding the electoral administration and many problems in the conduct of PSC in the first round, the Central Election Commission, including the CEC Secretariat, have managed to organize all administrative electoral activities for the 2nd round of local elections, efficiently and professionally. For the 2nd round of elections, 743 PS commissioners have been replaced (including substitutes), whereas the majority of efforts of the CEC Secretariat and MECs was dedicated to additional trainings of PECs, especially regarding major problems and shortcomings noticed in the 1st round of Elections (Data and Results Forms and packing of electoral materials). According to data gathered from STOs during E-Day, as well as the reports of CRC, significant improvements were noticed regarding the conduct of PSCs all around Kosovo during the second round. Also, CEC has repeated the K-Vote 2013<sup>8</sup>, which was a positive supporting tool, being the only official source of preliminary election results for the first round of elections in Kosovo, despite not being entirely accurate.

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<sup>8</sup> K-Vote 2013 is a supporting tool for tabulation of electoral results from polling stations, used by CEC to determine unofficial results of elections, prior to complete audit and re-counting of all votes and issuing of final results.

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## VI CANDIDATE REGISTRATION

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Candidate registration for Kosovo local elections is administered by the CEC and its Office of Political Party Registration and Certification (OPPRC), which is responsible for registering and maintaining a register of political parties, certification of all political entities to participate in elections, the campaign spending limit and financial disclosure. Registered parties are automatically certified for the local elections, except for those that notify the CEC that they will not contest the elections or that they will form a coalition.

As prescribed by the laws, any candidate that wishes to fulfill a passive electoral right, needs to meet the eligibility criteria of a voter, i.e. has to be registered within the Voters List and meet the general legal criteria, unless he/she fall under specific categories of public official as set out in the laid out in the LGE<sup>9</sup>. The LGE also states that a person is ineligible to be a candidate if he/she is serving a sentence imposed by the International Tribunal for the Former Yugoslavia, or has been found guilty of a criminal offence in the previous three years, but the law guarantees the presumption of innocence criteria, which is the main reason why several candidates in these elections have participated in the election race, although being accused of criminal deeds, even for war crimes.

Additionally, for local elections, the LLE prescribes that every political entity shall submit a list of candidates in each municipality that it is contesting, in order to be registered, whereas, every Mayoral candidate must be a resident of the municipality that he/she is contesting as a candidate for the past 3 years, besides the general eligibility criteria.

In total, 103 political entities were certified for these elections (33 political parties, 52 civic initiatives, 16 independent candidates and 2 coalitions), with 7.932 candidates all together. Another 224 mayoral candidates have been registered to run for the elections and only 9 of them were women.

As 13 mayors have been elected in the first round, 50 contestants were running for Mayors in the second round of elections in remaining 25 municipalities.

Due to a fact that the previously elected Mayor of North Mitrovica did not sign the necessary oath in order to become the Mayor, another round of elections had to be held in this municipality on 23rd of February and a new Mayor has been elected with more than 50% of votes won in the first round.

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<sup>9</sup> Article 29 of LGE

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## VII VOTER REGISTRATION AND VOTERS' LISTS

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### A. Voter registration

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According to CEC, the total number of registered voters for the 2013 elections was 1.779.357. This means that there are 148.721 more voters now compared to the previous 2010 Parliamentary elections, when there were 1,630.636 voters registered. For the second round of local elections, the total number of registered voters in remaining municipalities was 1.371.524. Additionally, around 12 000 voters have also been approved by CEC and ECAP to have the right to vote in local elections through by-mail voting, from out of Kosovo, where apparently, less than half of voters have used this right.

A stipulated by the law<sup>10</sup>, a an **eligible voter** in elections in Kosovo is a person that is at least eighteen (18) years of age on the day of the elections and satisfies at least one of the following criteria: a) he or she is registered as a citizen of Kosovo in the Central Civil Registry; b) he or she is residing outside Kosovo and left Kosovo on or after 1 January 1998, provided that he or she meets the criteria in applicable legislation for being a citizen of Kosovo; or c) he or she obtained the status of a refugee, as defined in the Convention Relating to the Status of Refugees of 28 July 1951 and its Protocol of 16 December 1966, on or after 1 January 1995, and is eligible to be registered in the Central Civil Registry as a habitual resident of Kosovo. At the same time, no person may vote if he or she: a) is serving a sentence imposed by the International Criminal Tribunal for the former Yugoslavia (“the Tribunal”); b) is under indictment by the Tribunal and has failed to comply with an order to appear before the Tribunal; or c) has been declared mentally incompetent by a final court decision. Additionally, according to the Law on local elections<sup>11</sup>, the voter has the right to vote only in the municipality where he or she is registered as permanent citizen, unless provided otherwise by the law.

### B. Voters' list

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**The Voters' List (VL)** represents the most recent available extract from the Central Civil Registry of all eligible voters who are registered as citizens of Kosovo pursuant to the law on Citizenship, and the list of eligible voters who have successfully applied to vote outside of Kosovo. The CEC maintains the Voters' List and ensures that the Voters' List is accurate and up to date. Legal provisions regarding the Voters' List do not specify the unique personal number as an obligatory requirement for personal information to be provided for each voter (Art. 7.2). CEC has additionally regulated this matter through issuing its Rule No. 02-2013 for regular (in-Kosovo) voting procedures, where it makes the information regarding the personal numbers of voters obligatory, but does not require the unique personal number as obligatory information for out-of-Kosovo voters. The same regulation does not state which unique personal number (Kosovar, Serbian, other) is the official one, which, combined with confusing and undefined data

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<sup>10</sup> Article 5 of the Law on General Elections of Kosovo

<sup>11</sup> Article 12.2 of the Law on Local Elections of Kosovo

regarding the identification documents of voters on E-Day<sup>12</sup> leaves space for multiple voting and other misuses. It is a questionable position of CEC in this matter, in terms of whether CEC has a legal right to go into that much details and beyond the Law with its Rules.

In accordance with the laws and the CEC regulations, the first **extract of the Civil Registry** is received by CEC no later than 2 days after the announcement of elections. The CEC makes VL available for the voter, via the MECs, during the Challenge and Confirmation period, during which eligible voters can object inaccuracies or omissions. After the end of this period CEC certifies the Final Voters' List, 2 days before elections the latest. A large number of out of Kosovo voting requests has led to a situation in which the 2nd update of the Voters' List extract was not prepared in time and CEC could not meet the deadlines prescribed within its own regulations for providing all MECs and political entities with this VL extract. This caused a delay and shortening of the Challenge and Confirmation period in Kosovo.

CEC made efforts to clean and update the Voters' List based on the Civil Registry, but this remained one of main challenges of these elections, especially as there is not much that CEC can do to increase the quality of VL, if the Civil registry is outdated, or inconsistent. CEC also lacked capacities to verify and compare voters' lists between different municipalities, which might have opened space for double registration of voters in different municipalities. Also, the Voters' List had not been fully updated and contained deceased persons, or persons that have been erroneously included, as the situation is the same as the civil registry. It remains unclear whether the CEC had enough time and capacities to remove all out-of-Kosovo voters from the regular Voters' List either. Problems with Voters list, noted in the first preliminary report of ENEMO for local elections 2013 still remained an issue in the second round of elections, as there were no reported changes in the FVL between the 2 rounds. Therefore, it is hard to say what was the real voter turnout in these elections, as due to the imprecise VL, the overall turnout seems lower than it actually was.<sup>13</sup>

### **C. Out-of-Kosovo Voting and Conditional Voting**

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Even though the legal provisions regarding the **Out of Kosovo voting** are very broad, the CEC has issued a rule<sup>14</sup> that explains the procedures for registration of out of Kosovo voters, as well as the deadlines and appeal procedures for those voters that have not been added to the out of Kosovo voting list. Article 3.8 of the same CEC Rule states that CEC should create a separate Out of Kosovo Voting Voters' List that would contain records of all voters that have successfully registered to vote by mail. The same article stipulates that these voters are to be removed from regular Voters' lists in their PCs. It is, perhaps disputable whether the CECS has adequate capacities to determine the validity and the truthfulness of information and documentation provided to them by out of Kosovo voters. This question is also important due to a large number of complaints that was reported by the media, the Serbian Government and Serbian political entities, mainly aimed at the approval of out-of-Kosovo voters from Serbia by the CEC. According to their

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<sup>12</sup> Different translations and interpretations of the article 90 of the Law on General Elections of Kosovo regarding the definition of "a valid ID" for voting have caused problems in all previous elections in Kosovo, including these local elections (especially during the first round).

<sup>13</sup> For example, Besides Partesh, where the turnout was 62.81%, the average turnout of voters in the second round of elections was between 30% and 57% in most municipalities. A seemingly low turnout of voters was noticed in Vushtrri (28.14%), Klina (21.57%) and North of Mitrovica (17.26%).

<sup>14</sup> CEC Rule No. 3/2013 - Voting out of Kosovo



complaints, CEC had unjustifiably excluded the majority of Serbian voters' requests for out-of-Kosovo voting (OKV), as CEC has accepted only 6.653 out of around 39.000 applications from Serbia and Montenegro. However, every rejected voter had the possibility to appeal to ECAP on every decision of CEC. ECAP has received more than a dozen thousand of complaints from these voters and another 5.458 voters were allowed to use their right for out-of-Kosovo voting, based on the additional information that these voters provided to ECAP, compared to documents provided to the CEC before its decisions. This stand of ECAP is also questionable, as the CEC Rule No. 3 states that a voter from out of Kosovo, whose right to be registered was refused, has the right to re-submit his/her application with complete and/or updated information first to CEC and not to ECAP. At the same time, ECAP being a second instance for CEC decisions regarding the right to vote only for out of Kosovo voting and not for regular voters (where a Court of first instance is competent for such matters), causes additional confusion among voters from out of Kosovo and makes the entire registration and appeal procedure more time-consuming and expensive, especially when having tens of thousands of applications.

Conditional voting in Kosovo allows all voters that cannot be found in the Voters' list of a specific polling station to cast a vote in the last PS within every PC specially formed for this type of voting, if such voter meets other legal criteria as a voter and proves his/her identity. In new democracies, such as Kosovo, where the voter registry is not fully correct and complete, such mechanism allows for a sort of back-up plan for voters to be able to express their electoral will, regardless of a possible technical mistake. However, due to many attempts of misuse of this mechanism in these elections, as well as the fact that these votes are counted separately and last at the CRC, this type of voting is time-consuming and leaves space for possible misuses during the process.

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## VIII ELECTION CAMPAIGN

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The official campaign for the first round of elections started on 3 October and lasted until 1 November. During the campaign, many breaches of the code of conduct of political entities were noted, especially regarding the Article 33 of LGE, where the election materials of several political entities/election contestants were destroyed. Another important issue noted during the campaign throughout Kosovo are the political advertisements on public property (roads, traffic signs, street lights, public facilities, etc.).

High abuse of resources and power has been noticed by ENEMO's teams before the first round of elections. According to ENEMO's interlocutors, several cases of threats were registered towards citizens by a number of public officials. These threats were mainly addressed to those citizens employed at public institutions in order for the latter to attend rallies and vote for certain political entities. This appeared to be more obvious in the ethnically mixed communities during both rounds of elections. Besides these occasional cases of intimidations and abuse of state resources, the overall political campaigning in Kosovo (except for the North) can be characterized as rather calm and mainly positive, with limited cases of negative campaigning in several municipalities.

As regards the North of Kosovo, the situation was much more intense. Besides a very mild and negative campaigning among election contestants belonging to Serbian political entities, voters were undergoing high intimidations and threats from several addresses, including certain political officials from Serbia and the movement for boycott not to participate in elections. The entire environment in the North was very voter-unfriendly, but also intimidating for certain candidates themselves. Some of them, from both SLS and GIS received bomb threats, 2-3 weeks before election Day in the first round of elections and one mayoral candidate was physically attacked a few days before elections. All this has caused for a raised concern and fear among voters, thus leading to a low voter turnout during elections and the situation that escalated during E-Day in North Mitrovica, when election materials in 3 PCs were destroyed by groups of masked men.

The Central Election Commission (CEC)<sup>15</sup> decided on 20th of November that the electoral campaign for the second round would be limited to a five-day period from 25 November to 29 November. In the second part of the campaign, after the first round of elections, most political activity was concentrated on forming alliances between political parties that support Mayors, in various municipalities. Most alliances have been aiming to win over supporters of candidates that are no longer in the race. Party leaders have been active in traveling around Kosovo to support their candidates at various rallies and meetings. Most candidates focused on door to door campaigning, with direct communication with citizens. Even though the public campaign was mainly calm in both rounds (besides security issues and threats made to certain candidates in the North of Kosovo) the negative campaigning was visible in several municipalities, especially during political debates and rallies. ENEMO LTOs have noticed some negative campaigning, especially in Gjakove and Shterpc, prior to the second round of elections. However, majority of negative PR and insults between different Mayoral candidates was conducted through internet, on social networks, blogs, etc. The fact that political campaigning through internet is not adequately regulated by the law, nor monitored by the IMC, or some other state institution, has left space for strong abuse of this media and

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<sup>15</sup><http://www.kqz-ks.org>

potential influence on voters, especially young people that mainly use internet regularly and continuously follow social networks.

Based on the information from the ENEMO interlocutors this election process can be largely characterized as being supported by national authorities of both Kosovo and Serbia. Occasional involvement of the EU representatives was also observed, where, the issue of engaging out-of-Kosovo voters from Serbia in the local elections, at times, seemed more like a negotiation process, rather than an election process. As a result, a number<sup>16</sup> of Kosovar Serbian voters were added to the VL, temporarily, only for these local elections.

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<sup>16</sup> Up to date, the exact number of these voters had not been provided to the ENEMO mission by CECS.

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## IX MEDIA

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ENEMO Mission has not carried out a full scale media monitoring for these elections. All comments in this section are therefore based on observations and interviews with media actors, and reference to the Independent Media Commission (IMC) and its monitoring of media during the campaign.

From June 2008, the media sector in Kosovo is acting under the new Constitution of the Republic of Kosovo. It provides for a free and pluralistic media, where censorship is forbidden (art 42), and general freedom of speech is guaranteed. Article 59 of the Constitution allows for various minority communities in Kosovo the right to “have guaranteed access to, and special representation in, public broadcast media as well as programming in their language, in accordance with the law and international standards”.

Kosovo has 100 different media outlets, both in Pristina and in other parts of the country. There are 10 newspapers, almost 90 radio stations, and more than 20 television stations. There are four television broadcasters with national reach (RTV 21, RTK, KTV, Klan Kosova). The Public Television RTK is broadcasting programs in Albanian language and minority languages as well. Television in Kosovo remains the top source of information. While the constitution enshrines media freedoms, they are not always protected in practice, and journalists continue to face political pressure and harassment. In 2013 Kosovo media was ranked in the 85th place of the World Press Freedom Index<sup>17</sup>, which means a bit below the average of the West Balkan and far away from the countries of the European Union. However, there is some progress made comparing to the previous year 2012, when Kosovo had the number 86 in the same list.

Most of the Kosovo media outlets actively followed the electoral campaign and its various aspects through news coverage, TV debate programs and political advertisements. Independent Media Commission is an independent institution, responsible for the implementation of Chapter VIII of the Law on General Elections, which specifically defines provisions for "Media acting during an Election Campaign". In order to assess the compatibility of audio-visual media services with Chapter VIII of this Law, IMC has monitored the audio-visual media services during the coverage of the campaign for local elections in 2013. 25 providers of audiovisual media services were included in the monitoring, out of which 3 national television stations, 18 regional and local television stations and 4 program services providers (PSP). The focus of its monitoring were news editions, election chronicles, interviews, debates and political spots in periods of the day of higher viewership. According to the IMC, the media has covered the election campaign mostly in a correct and balanced manner. News coverage was perceived as being mostly neutral and fair. Through conducting debates and interviews, most of the TVs have provided political parties and independent candidate's airtime free of charge and also provided them with the opportunity for paid political advertising. During the campaign period, the Department of Monitoring and Analysis (DMA) has identified eight audiovisual media services, which were found in violation of the law for not clearly posting political advertisements, or for exceeding the foreseen airtime for political spots. After communication with televisions found in violation, the following monitoring has shown that they have come into compliance with Chapter VIII of the Law on General Elections and IMC Guidelines for Identification of political advertising.

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<sup>17</sup><http://en.rsfs.org/press-freedom-index-2013,1054.html>

Even though no official reports were published, according to IMC sources, around a dozen of official complaints regarding the broadcast media have been submitted in both rounds of elections. For example, AKR was complaining against the local television Syri Vizion for not covering their election campaign in Gjakova and not offering fair and equitable time in their news coverage. IMC sent a memo to this broadcaster but it did not respect the IMC Guidelines. "The Citizen Initiative" from Mitrovica complained to the IMC for not being offered adequate time in media for their electoral spots. There were also several situations where a media did not clearly show that some material is the electoral spot. Also, during the monitoring of election campaigns of certain political entities, the IMC and ENEMO LTOs have identified several advertising materials that included children, what represents a violation of the Law and the Code of Conduct for Audio-Visual Media Services, respectively of Article 9.8. "Presentation of Children and Minors", which states that the use and presence of children in promotional spots of political parties is not allowed. Regarding the violations found, IMC has taken action under Article 30 of the Law of IMC.

IMC has evaluated that compliance of media with the legal provisions was even higher during the second round of elections and in the meeting held on 2nd of December 2013, the IMC decided that for all audiovisual media services that have been in violation of Chapter VIII of Law on General Elections to issue only a remark as a sanctioning measure, based on Article 30 of the Law on Independent Media Commission. According to the Law, the IMC should publish all produced reports on its website regularly, based on its monitoring. However, since the IMC's first weekly report published on 16 October, no further reports, nor follow-up of the campaign has been published on the IMC website until the end of the election process. According to IMC, 10 official complaints about the conduct of media for the local elections have been submitted to this institution for both rounds of elections.

When it comes to printed media there is no state regulator for this type of media, but instead a number of newspapers have come together to found the Kosovo Press Council<sup>18</sup>, to act as a self-regulatory body for printed media. Print media outlets offered a wider spectrum of views; however, they have limited influence and are gradually being replaced by online media. The daily newspapers were involved in the election campaign with a various number of articles in their pages during the campaign. There are no legal provisions, nor any monitoring of online media in Kosovo yet, even though certain political entities have been highly active in social networks and online media during these elections.

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<sup>18</sup> <http://www.presscouncil-ks.org>

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## **X PARTICIPATION OF NATIONAL MINORITIES**

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The Constitution of the Republic of Kosovo has a separate chapter on the rights of minority communities and their members granting them specific rights and reserved seats in the National Assembly. Unlike the national elections, there are no legal provisions in Kosovo allowing for any sort of affirmative action for minority representation for local elections.

Simultaneously, the electoral administration, on various levels did not fully reflect all different communities in the Assembly of Kosovo, especially in Municipal Election Commissions, which had the power to increase the number of their members to give access to representatives of all minority communities in their respected municipalities. Similar situation was noticeable at the level of PSCs.<sup>19</sup>

One of main focuses in these elections has been the participation of the Kosovo Serbs in the electoral process. To this end, these elections were held after Pristina and Belgrade authorities, with the facilitation of the EU reached the “First Agreement of Principles Governing the Normalization of Relations”, a document which became a starting point for integration of municipalities from the north of Kosovo, with Serbian majority. Document is introducing a model of autonomy for municipalities with Serbian majority, as well as other institutional guarantees for the Serbian minority. As a result, these were the first elections where all 38 municipalities (including the 4 in the North) willingly participated and were supported by governments of both Kosovo and Serbia. Nevertheless, while both authorities and many in the international community encouraged the Kosovo Serbs to take part in the elections and shape their own future, a campaign against participation in the election was still visible in the North. One part of Serbian population boycotted elections, the part located in Northern part of Kosovo, which attacked the PCs in North Mitrovica during the first round and caused the repeating of elections in these PCs. Serbs in other parts of Kosovo dominantly participated in the election process.

There are seven minority ethnic groups that play a recognizable role in Kosovo's political scene through political parties that represent them. Most significant minority group are Kosovo Serbs, which had an opportunity to gain power in 10 out of 38 Kosovo municipalities. Besides the Kosovo Serbs, a significant part in the political life of Kosovo is played by parties that represent Roma, Ashkali, Egyptian, Bosniak, Turkish, Montenegrin, Gorani and Croatian ethnic groups, which all have won at least one seat at the Local Assembly.

In 2013 local elections in Kosovo, political parties of all listed minority groups have competed for position in local communities, where these groups mainly reside. Kosovo Serbs have won mayoral position and/or majority in Local Assembly in 10 municipalities (N. Mitrovica, Zvecan, Zubin potok, Leposavic, Gracanica, Shtirpce, Partes, Kllokot and Ranilug), while in Novo Brdo they have won majority in the Local Assembly (9 of 15 seats), but not the mayoral position. In this municipality Serbian candidate for mayor lost in the second round.

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<sup>19</sup>e.g. In the PSCs visited by ENEMO observers, during the first round of local elections, almost 70% of PSC members were Kosovar Albanian, around 25% Kosovar Serbian, 2,8% Bosnian and all other minority representatives had a rather symbolic level of participation as PSC members (less than 1%).

Besides 10 listed municipalities, Kosovo Serbs had their candidates for mayor also in Gjilan and Orahovac, but in both these municipalities they lost the race in the first round. Alongside of Serbian ethnic group only Turks have won mayoral position in Mamusha, while in other 28 municipalities mayoral mandate went to representatives of Kosovo Albanians. In Mamusha, three Turkish parties have gained 14 out of 15 seats in the Local Assembly securing the absolute authority in this way.

Significant differences in representation of minorities have been registered in the municipality of Dragas, where Bosniak and Gorani political parties have gained 8 out of 27 seats. Also, in Prizren Turkish and Bosniak parties have won 8 out of 41 seats. With this number of seats minorities in both of these municipalities could play an important role in the future composition of the local government.

In other Kosovo municipalities minority groups have reached in average from 1 to 3 seats in Local Assemblies, therefore not representing a significant partner for further ruling over the municipality.

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## XI PARTICIPATION OF WOMEN

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The Kosovo legal framework is promoting the gender equality through the Constitution as “a fundamental value for the democratic development of the society”, as well as through the Law on General Elections in the Republic of Kosovo, within the fundamental principles prescribing that all political entities and election bodies are obliged to respect the gender quota requirements as set forth by that law.

While Kosovo is led by a female president, women continue to face economic, political and social disadvantages. In politics, their representation is seen more as a requirement for political parties than as a benefit. Despite Kosovo’s political representation quota for women, parties continue to be dominated by men, and women at decision-making positions remain an exception to the rule. This fact often discourages women from running for office.

The Law on Local Elections in the Republic of Kosovo, also pays needed attention to the gender requirements specifying “at least 30% certified candidates of the other gender” (art. 7.2) in the lists of candidates running for Municipal Assemblies. This regulation has been respected during the certification of political entities. The women were more represented in the list of the candidates running for Municipal Assemblies in comparison of the candidates for Mayor, where from a total of 224 candidates only 9 are women<sup>20</sup>. From 9 women running for mayors in the first round, only one woman candidate was left running for the Mayor in the second round of local elections in Gjakova and, after the 2nd round of elections became the only female Mayor in Kosovo.

With regards to the gender equality in the election administration bodies, the level of participation of women is low. Although the President of CEC is a woman, all the other members are male. In Municipal Election Commissions and Polling Station Committees women were not represented in accordance with the Law on Gender Equality, stipulating that the underrepresented gender in legislative, executive, judicial bodies of all levels and in public institutions, should be at least 40% in order for the equal gender participation to be achieved by the law<sup>21</sup>. According to the list of MEC representatives, posted on CEC website, only 4 women are presidents of MECs (out of 38 MECs and a total of 293 MEC members), where the overall percentage of women as MEC members was around 12%. At the level of PSC members, according to the data gathered by ENEMO observers, the number of women members of PSCs observed was between 18 - 19%.

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<sup>20</sup>LVV nominated 3 women candidates; AKR 2 women candidates; Justice Party, AKR, SDP, AAK nominated 1 women candidate, and there was one independent women candidate. In the Municipality of Gjakova there were 2 women candidates

<sup>21</sup> Articles 3.1 and 3.2 of the Law on Gender equality in Kosovo.



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## **XII ELECTION OBSERVATION MISSIONS**

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The electoral legislation in Kosovo allows for election observation by international and domestic observers, as well as authorized representatives of candidates at all levels of the election administration.

In an inclusive process, the CEC accredited 32,453 observers for both rounds of elections, (30,173 first round and 2,280 additional observers in the second round), including representatives from CSOs, international organizations, foreign embassies, political parties, coalitions and independent candidates, citizen initiatives and media. The Coalition “Democracy in Action” deployed the largest number of observers (1,600). Since the announcement of the elections DiA undertook a number of activities to contribute towards increasing the transparency of the electoral process, including observation of the pre-electoral period, deployment of observers on Election Day, monitoring of the work of MECs and PSCs. ENEMO STOs have noted non-partisan domestic observers in 65% of PSs in the first and 74% of visited PSs in the second round.

Besides the domestic observers and ENEMO, the European Union's EOM was organized and deployed in Kosovo for the first time. EU EOM was composed of a 9 member Core Team supported by 20 Long Term Observers (LTO's) and around 100 Short Term Observers (STO's) for both rounds of elections.

At the same time, the National Democratic Institute (NDI) and several Embassies have accredited observers for Local elections, as part of their regular political engagement in Kosovo. Most noticeable missions were: the US Embassy with more than 100 observers, as well as a significant number of observers from the German, French, British, Swedish, Turkish and other embassies.

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## **XIII ELECTION DAY**

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### **A. First round of local elections, held on 3rd of November**

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On Election Day, 34 observers of ENEMO were deployed in 17 teams of 2, to follow the opening, voting and counting procedures at polling stations, as well as to observe the intake of materials at Municipal Election Commissions. In total, the observers covered 221 polling stations in 28 municipalities. Due to the complex situation in the North of Kosovo, ENEMO deployed 3 teams of STOs, which have monitored the opening and voting in a total of 26 polling stations in all 4 municipalities in the North of Kosovo. All short term observers of ENEMO were mobile teams, unlike the domestic observers, which were mainly stationary and followed the process in particular polling stations throughout the entire day. ENEMO noted a presence of domestic observers in 65 % of polling stations visited.

The electoral administration generally managed to prepare the polling stations in time and most of the polling stations visited by ENEMO observers had been opened on time, or with minor delays. The opening process was assessed positively in all but one of the PSs. ENEMO observers have noticed that in many PSs, the total number of received ballots by PSC was smaller than the total number of voters i.e. 2 polling stations in Gjakova, whereas in 1 PS in Gjilane, the total number of received ballots was 850 and the total number of registered voters in the same PS was only 144.

The atmosphere during the Election Day was generally calm and peaceful in majority of municipalities. However, in the North of Kosovo, especially in North Mitrovica, young people were noticed around a number of polling stations from the early morning, trying to make pressure on voters to boycott elections and threatening observers. Nevertheless, the voting was ongoing in all PSs visited by ENEMO STOs and the OSCE presence in every PS was very visible. As the day progressed, however, the tensions in North Mitrovica escalated and ENEMO had to pull back its observers from the field, to the South of Kosovo in the afternoon. At the same time, a group of men have broken into 3 PCs in North Mitrovica and destroyed the election materials in these polling centers. The failure to guarantee the security and order combined with the complex political situation lead to a number of voters being unable to freely exercise their voting right in the municipality of North Mitrovica and voting materials had to be taken for counting to the South. Materials from remaining PCs from N. Mitrovica and other Northern municipalities were packed and escorted by the OSCE to Pristina, where they were later counted and processed at the CRC. CEC has decided to repeat elections in above mentioned 3 PCs in Pristina, later on (2 weeks after the 1st round), as election materials were destroyed during E-day.

During the 1st round E-day, several minor procedural irregularities have also been noted. For example, in 6% of visited polling stations, PSC members did not always check properly for ink and in 3% of the visited polling stations the IDs of the voters were not always checked, resulting in the opportunity for multiple and/or proxy voting. Observers expressed suspicion in the quality of the ink used at several polling stations visited in the Municipality of Glogovac. At the same time, unauthorized persons were observed within 5% of the visited PSs.

CEC has not managed to provide for the correct interpretation of the laws regarding the eligible voter identification documents during the first round. Therefore, in some municipalities, voters with foreign

(mainly Serbian) and expired documents were allowed to vote, whereas in other municipalities, only voters with valid Kosovo documents were allowed to vote. More precisely, in 15% of the polling stations visited, the voters were rejected due to the fact that they were not in a possession of a valid Kosovo document.

The proxy voting was observed in a relatively small percentage, at 5 % of the total visited polling stations. The secrecy of the vote was not always respected and in particular in 18 % of the polling stations visited, cases of group or family voting were observed.

The entire voting process was assessed by ENEMO observers as good, or very good (89% of the cases), whereas the voting procedure was marked as inappropriate or highly inappropriate in 11 % of the polling stations observed during the day (most of them because of negligence of PSC and not because of fraud). Some of the closing procedures were not fully respected and in 15 % of the polling stations visited the chairperson did not announce the results, nor were the results posted on the wall as stipulated in the law.

With regards to the counting, 23% of the visited PSs were marked as inappropriate, all due to negligence, whereas 77% were marked as good or very good. In 38% of the visited PSs preferential votes for each party/candidate list were counted by the member of the PSC from the same political entity. This breach of the procedure undermined the transparency of the counting of preferential votes and left space for misuse.

## **B. North Mitrovica repeated voting on 17th of November, 2013**

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On Election Day, 8 observers were deployed in 4 teams of 2, to monitor the opening, voting and counting procedures at all 3 Polling Centers. Additional 3 teams of ENEMO were deployed to observe the counting of ballots at the CRC. In total, ENEMO observers covered all 27 polling stations. All observer teams of ENEMO were mobile teams, unlike the domestic observers, which are mainly stationary and are following the process in particular polling stations throughout the entire day. ENEMO noted a presence of domestic observers in only 19% of polling stations visited.

Facilitated by the OSCE, the electoral administration generally managed to prepare polling stations in accordance with the law and most of polling stations visited by ENEMO observers had been opened on time, or with minor delays. The opening process was assessed positively in all observed PSs, by ENEMO observers. The atmosphere during the Election Day was calm and peaceful in majority of PSs. Security forces were visible in front of every PC and there were no major incidents reported.

Minor shortcomings regarding the performance and organization of PSCs were noticed during the day in a number of PSs. Some PSC members did not have adequate knowledge about the procedure and proper accreditations from the CEC. Additionally, several procedural irregularities have also been noted. For example, in 34% of visited polling stations, PSC members did not always check properly for ink, what may have left space for multiple voting. Political campaign materials were observed less than 100m from the PS in 48% of Polling stations, whereas active campaigning was noticed in the vicinity of 37% of visited PSs.

During these repeated elections, legal provisions regarding the eligible voter identification documents have been mainly respected by all PSCs. Therefore, voters with foreign (mainly Serbian) documents

were allowed to vote, if they were in the Voters List. ENEMO observers did not see any homebound voters highlighted in the Voters Lists, what may have left space for double voting of the same persons, once regularly and once through the Special needs and Circumstances voting mechanisms.

The secrecy of the vote was generally respected in all polling stations visited, except for limited cases of group or family voting, which were observed in 6 PSs. At the same time, ENEMO has observed a number of voters coming in organized groups, mainly consisted by citizens employed at public institutions in North Mitrovica. Many voters belonging to these groups were not a part of the Voters list in PSs that they visited, so they voted conditionally. In more than 50% of observed PSs, voters that were not found in Voters Lists were not directed to the Help Desk to seek further assistance, majority of these voters have went directly to the Dual PS to vote conditionally instead. This has caused long lines and crowd within Dual PSs and prolonged the counting of conditional ballots in the CRC.

The voting procedure was marked by ENEMO observers mainly as very good (5) and good (20).

After the closing of all PSs, election materials, together with ballot boxes were brought to CRC in Pristina, accompanied by the OSCE to be counted by the same members of the PS, apparently due to security reasons. Even though that counting process has not been done in PSs, due to higher transparency within the CRC than usual, ENEMO observers had the chance to see most of the performance of counting votes by PSCs.

### **C. Second round of elections, held on 1st of December 2013**

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During E-Day, the election process was conducted professionally and calmly in majority of polling stations visited by ENEMO observers. However, several cases of violence have been reported, where most serious case happened in Pasjane (municipality of Partesh), at the PC where ENEMO STO team was observing the closing and counting of 1 PS No. 3603d/02r. After the counting of all votes in this PS and while PSC was fulfilling the closing forms (around 20:20h), a group of around 20 men broke into the PC and started destroying the election materials. PSC risked their physical integrity by trying to protect ballot boxes and other material from attackers. The violence escalated and there was a fight between persons within the PC and a group of attackers. Police arrived soon after the incident, but majority of materials were already destroyed and several men were hurt.

ENEMO would like to praise the professionalism and dedication of PSC members who risked their physical integrity to protect election materials and ballot boxes.

However some procedural breaches noticed in the first round of elections have still been noticed during STO observation of the polling stations in the second round. The main issue still remains the family voting, which happened in 17 per cent of visited PSs. In one of the PSs, there were 7 cases of family voting that happened within a 20 minutes period, while our observers were present. Also proxy voting was noted in 5 per cent of observed PS. Both breaches were noticed in a similar frequency as in the first round.

Problems noticed in the previous round of elections, related to the lack of professionalism and training of polling station commissioners were not observed in this round of elections, especially in terms of packing

of materials and forms' data entry. Moreover, the conduct and professionalism of PSC members was significantly improved compared to the previous round of elections in majority of observed municipalities.

Another breach of the Law, noticed by ENEMO STO Teams was the presence of campaigning materials of some political entities within 100 meters from the polling center (PC). Such situations were noticed by ENEMO observers in 6% of the total visited PS during the second round. Compared to the first round of elections, where such breaches were observed in 16% of the total number of observed PSs, it is clear that certain improvement was made in this field.

There were several cases where the voters were allowed to vote without ID. The main reason was that PSC members knew the voters and they didn't need to show any ID to vote. In one PS in Shterpce, there were 16 voters allowed to vote without any ID, while our STO team was present.

A common situation was that in almost all PSs, the total number of ballots received by PS was lower than the total number of registered voters on FVL in the same PS.

ENEMO observers have reported a high number of voters that claimed they needed assistance and voted with assistants from the outside. Certain interlocutors of ENEMO confirmed that this method is being used by certain political entities as a safe-vote mechanism and that a number of these assistants were party representatives, where majority of mentioned voters do not really need any assistance.

59 per cent of observed PSs were not accessible to persons with disabilities, which is for 6 per cent higher than in the first round of elections, when 53 percent of visited PS were not appropriate for persons with disabilities.

Homebound voters were highlighted in voters lists in only a few PSs. Gender balance among PSC members was inadequate, as majority of PSC were men.

Generally, observed pooling stations were very positively evaluated by ENEMO STO Teams. 47% of them were evaluated as very good, 48% as good, and 5% were marked as not appropriate.

#### **D. Repeated Elections in North Mitrovica, held on 23rd of February 2014**

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Due to a fact that these elections were held unplanned and more than 2 months after ENEMO has closed its EOM in Kosovo, ENEMO could not monitor these, repeated elections in North Mitrovica. However, according to media, ENEMO interlocutors and official authorities, the atmosphere during election day was peaceful and the entire process was conducted in a professional and proper manner. North Mitrovica got a new Mayor compared to previous rounds of elections (previous Mayor did not sign the document endorsing the oath of office), which has received more than 50% of total votes and therefore has won the post in the first round of elections.

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## **XIV COUNT AND RESULT CENTER**

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The Count and Results Center - CRC was operated in a warehouse near Pristina with the consultancy of IFES and based on CEC regulations No. 6 and No. 9, since neither electoral law regulates its work adequately. The CRC was tasked with the intake and checking of election material, as well as the reconciliation of results forms, data entry and review, audit, counting of conditional and by-mail ballots, re-counting of regular ballots and other investigations.

To date, ENEMO did not receive an official report of the CRC for these local elections, unlike previous elections in Kosovo. Therefore, the official data regarding the exact number of PS materials that were quarantined, audited, investigated and/or re-counted. However, ENEMO had its observers at the CRC through most of the rather slow and non fully transparent conduct of the CRC staff. At the beginning of the process, the CRC was well organized and all security procedures were followed. Mobile phones and bags were taken from the visitors, as well as the staff. Physical set up of CRC was transparent allowing for observers to monitor the process of intake of the materials brought by MECs. As time passed by, full respect of security measures and procedures deteriorated. Mobile phones were used by all present. Only personnel doing data entry was properly identified and walked through the metal detector.

At the same time, the transparency of the conduct of the CRC was very low. It was difficult for ENEMO observers to obtain relevant information. External Relations Officers (EROs) were not able to provide any relevant information and were practically not approachable between the 2 rounds of elections. They were either not allowed or not willing to talk to ENEMO observers. The CRC Coordinator was, at times giving misleading information, as well as different information to different observer teams<sup>22</sup>. According to the CRC staff, the total number of ballot boxes quarantined in the first round of elections was 534.

Generally, the most frequent problems regarding the election material, detected at the CRC were errors in RRFs, inadequately packed materials and loss of VLs. The number of errors made by PSC members and the conduct of the CRC were significantly improved after the second round of elections, even though the number of polling stations was much lower than in the first round of elections.

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<sup>22</sup>For example, the management of CRC said to ENEMO Team on November the 8th, that CRC will not process any quarantined nor conditional ballot boxes on Friday, 9th of November and that CRC was only going to conduct the scanning of voters' lists. However, when ENEMO observers came to the CRC, the quarantined Ballot Boxes were being processed and Conditional ballot boxes were opened and their data was being entered into a data-base.

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## **XV COMPLAINTS AND APPEALS**

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The election legislation provides safeguard mechanisms to protect the citizens' rights, as well as the rights of political entities, where the instances to which appeals and complaints may be submitted are the Court of First Instance and the Election Complaints and Appeals Panel (ECAP). ECAP is an independent body in charge of adjudicating complaints and appeals concerning the electoral process.

As partially mentioned above, regarding the out-of-Kosovo voting, for these elections, the ECAP has received 16.270 envelopes with 16.355 appeals (there were envelopes that had more than one appeal inside) submitted against CEC decisions that have rejected applications for out-of-Kosovo voting.

The ECAP has decided upon the 16.355 received appeals in the following manner:

- 10.419 appeals were denied;
- 5.458 appeals were approved;
- 349 appeals were classified as incomplete;
- 4 appeals were denied because they had been submitted after the deadline;
- 123 appeals had already been reviewed (which means that the same complainant submitted 2-3 appeals against the same decision of CEC);
- 2 appeals were not reviewed for decision as they did not have any name on it or any other document attached. In that case, ECAP had no real complainer whose complaint should have been reviewed.

Besides the appeals that ECAP received for the out-of-Kosovo voting, a total of 37 appeals and 208 complaints related to the election campaign were submitted before the first round Election Day. Out the total number, the largest number of complaints was submitted in Ferizaj. Almost all of the approved and denied appeals were referring to putting posters and flags on public places, bus stations and traffic signs, as well as overlapping and damaging posters of other candidates/political entities. ECAP accepted a certain number of appeals and fined political entities in the total amount of 159.400 Euros. The largest complainant was the Vetëvendosje party with 86 complaints, whereas the most sanctioned political entity is PDK, fined with 77.000 Euros.

Based on the ECAP data, although certain political entities were issued fines for the previous elections in Kosovo, until 23 September 2013 the total debt was 19.000 Euros for 2009-2010 Local Elections and 5.500 Euros for 2010-2011 Parliamentary Elections.

Eligible voters may challenge, as specified under Article 9 of the Law on General Elections, inaccuracies or omissions in the Voters' List. Decisions regarding changes in the VL are made by the court of first instance. Also, complaints concerning the conduct of the counting at the CRC can be submitted to the ECAP within 24 hours of the occurrence of the alleged violation. However, the submission of a complaint

does not interrupt, nor suspend the counting process. All complaints to the ECAP shall be decided upon, no later than 72 hours from the receipt of the complaint in the ECAP central offices.

During the entire electoral period, ECAP has received a total of around 1000 election-related complaints for both rounds, not taking into account the appeals regarding the out of Kosovo voters. Out of this number, 274 complaints were made regarding the campaign in the 1st round, which are mentioned in ENEMO's 1st Preliminary report. Another 173 complaints were made regarding the E-day in the first round of elections (11 were approved, 154 denied and the other were rejected, withdrawn, or invalid). 261 complaints pertaining to the counting process and 61 complaint regarding the CEC Preliminary results (K-Vote mainly) were also filed to ECAP. Another set of complaints (around 250) followed the results of elections, between the 2 rounds and after the second round of elections. Majority of these complaints were rejected due to lack of evidence, or for being invalid, late and irregular, whereas some of them were withdrawn. Only 2 complaints regarding the counting process were adopted by ECAP, where 2 decision lead to re-run of elections in the North of Kosovo and Partesh municipality. At the same time, ECAP has sent 36 complaints to the Police, as they may involve possible penal sanctions.

With amendments to the LGE from 2010, deadlines for filing of complaints were slightly changed and reduced. Therefore, according to Article 105.1 "Complaints concerning the conduct of the count at the CRC shall be submitted in writing to the ECAP within twenty four (24) hours of the occurrence of the alleged violation", whereas the deadline for ECAP's decisions upon complaints was reduced from 5 days to 72 hours. Even though these short deadlines have helped the overall efficiency of the complaints system in terms of timed decisions, it is questionable whether the quality of ECAP decisions has been undermined by the same legal amendments. Even though, legally speaking, ECAP has the possibility to conduct investigations, in practice, the ECAP, being composed merely of judges, usually does not have sufficient time, resources, nor interest to conduct any investigation and usually bases its decisions upon the evidence provided by the complainant. At the same time, such short deadlines make it harder for all potential complainants to prepare and file a complaint, with sufficient evidence.



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## **XVI ANNOUNCING OF FINAL RESULTS OF ELECTIONS**

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Final results for Mayoral election in 37 municipalities for the first round were published on 14th of November and certified on 20th of November, what was 5 days before the start of the campaign period for the second round. The decision for certification of results was taken pursuant to confirmations from Supreme Court and Election Complaints and Appeals Panel (ECAP) that there are no complaints or lawsuit related to elections of 3<sup>rd</sup> of November. With this act, only the results of Zveçan municipality were not certified, due to re-voting, which took place on 1<sup>st</sup> of December in three Polling Centers of this municipality, based on the decision of CEC.

The results for the re-runs for Municipalities of North Mitrovica held on the 17th November were published on November 19th, 2013 on a session of the CEC.

Preliminary results for Mayoral Elections from Central Election Commission were published one day after the elections. To be able to publish the preliminary results sooner, CEC introduced the K-Vote system which mainly worked successfully. The final results for the second round of elections were announced on a session form CEC on December 17th.

Final Municipal Assembly results were published on 2nd of December 2013, which was one day after the second round of elections

On December 12th, 2013, members of CEC certified new municipal Mayors for 37 municipalities (except Partesh municipality, where the re-voting for Municipal Mayor took place in three Polling Stations on 15th of December). In this meeting, CEC certified the new members of Municipal Assemblies.

The results of the repeated elections in North Mitrovica on 23rd of February were announced just several days after E-Day, on 26th of February.

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## **XVII RECOMMENDATIONS**

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Based on observations and analysis of various stages and factors of election process ENEMO proposes the following recommendations for improvement of electoral process for future local elections and the electoral legislation in general. These recommendations address various stakeholders in accordance with their powers and may be an asset to the Working Group that is undergoing the reforms of the electoral legislation at the moment.

### **A. Proposals for the Parliament**

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#### *Conditional voting*

The electoral Laws in Kosovo allow the voter to cast a conditional ballot if they cannot be found on the voters list in the visited PC. Conditional balloting is costly, time consuming, leaves space for potential misuses and causes significant delays in the counting and tabulation process. An election working group should consider the need to continue with the generalized and standardized conditional balloting, especially at the local level, as most municipalities in Kosovo (except for Pristina) are not territorially large and do not pose a significant effort nor cost for the voter to find his/her correct PC.

#### *Out of Kosovo voting*

Kosovo should consider abandoning the practice of out of Kosovo voting, at least for local elections, as the entire process is very costly, time-consuming and leaves space for possible misuses.

#### *CEC rules and the Election laws*

Since there were 17 rules adopted by CEC for these elections, which further define and explain the electoral process, it would be important for the new Law on General Elections to include most of these rules into the Law itself. This way, a very long and time-consuming process for CEC would be reduced and allow for a much lower influence of the political representatives in CEC on the entire electoral process.

#### *The Law on Political Parties*

Many of CEC electoral rules and CEC conduct are related to political entities and/or candidates for elections. Besides all other administrative and decision-making tasks, the CEC also has to manage most aspects of political party registration and financial disclosure, as well as political entity and candidate registration. A separate law regarding registration and operation of political entities should be considered

by the working group, whereas it is a question whether this part of the process should be conducted by the CEC, or another state institution.

#### *Clarification of voter ID issues*

There is a strong need for clarifications of different translations and applications of legal provisions regarding the eligible voter identification documents that can be used by voters during E-Day. An eligible ID for voters needs to be indisputably clear and understandable information within the Law on general elections, in terms of country origin and validity.

## **B. Proposals for the Government**

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#### *Updating of voters lists*

The VL is the extract from the Civil Registry, which should be updated in a systematic and professional manner to remove deceased persons and persons that were erroneously included. Much more effort is needed in this aspect to reach required accuracy of the voter lists that would increase public confidence in the credibility of election process.

#### *Maintaining the voters' lists and registry of voters*

Since the CEC is not in charge of updating, nor maintaining the Civil Registry, but only receives its extracts on which it bases the Voters' list, it is unclear how CEC could be responsible for maintaining the VL and its quality. At the same time, CEC is in charge of deciding upon out of Kosovo voters requests, without adequate capacities to determine whether provided documents by voters are valid, or potentially forged. ENEMO believes that the same authority in charge of maintaining and updating the civil registry should also be in charge of maintaining the voters' registry, including the out of Kosovo voting requests, with adequate human and technical capacities to conduct its work professionally. If this authority is not going to be the CEC, then CEC should only be in charge of disseminating extracts of VL to other election administration bodies at the local level.

#### *Security*

In order to prevent future incidents and allow every voter the right to freely and safely express his/her electoral will, as well as the safe environment for all election contestants to participate in the election process, the Government should increase the security during elections. Security should be increased not only during the election campaign, but also during E-Days.

## **C. Proposals for the CEC and CECS**

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### *Professionalization of election administration*

ENEMO recommends the continuation of professionalization of election administration, at all levels. There should be a greater transparency in terms of appointing all MEC members, with emphasis on their education, professionalism, gender and ethnic representation, as well as previous experience. At the same time, CEC should consider appointing more experts, CSO representatives and/or impartial citizens in election administration bodies, in both MECs and PSCs. CEC could consider higher decentralization of the entire administrative process, thus allowing greater involvement and responsibility of MECs, especially in appointing PSC members and local administration of electoral processes.

### *Gender equality at all levels of election administration bodies*

ENEMO recommends to CEC and other related institutions to respect the provisions of the Law on Gender equality of Kosovo and thus try to achieve a 40% gender quota in future elections, as stipulated within the Article 3.2 of the same Law.

### *Training of polling station commission members*

Increased efforts and special emphasis shall be put in place to train polling staff to ensure safeguards and implement measures against election fraud practices and the most common breaches of procedures, such as group voting, proxy voting, forging signatures on voter lists, ballot box stuffing, etc. Also, CEC should improve the communication and relations with the MECs in the North of Kosovo for further elections in order to be able to conduct the entire electoral process in all municipalities without the facilitation of the international community.

### *Transparency*

Website of CEC should be more regularly updated in order to increase the transparency and the legitimacy of the entire process. This is especially important for the work of the Secretariat and CRC, as certain important information were missing on the website during these elections (the exact number of approved voters from out of Kosovo, especially those approved based on the Brussels agreement, the "formula" for choosing MEC and PSC members, report of the CRC on its conduct, etc.). Similarly, each MEC should have its own, regularly updated website for future local elections.

In order to increase the transparency of PSC conduct, copies of the protocol with results from polling station should be given to every member of PSC and possibly to all observers present.

### *Re-counting, audit and tabulation process*

The Count and Results Center shall further increase the transparency of its actions by publishing all CRC reports on the CEC website and providing timely and accurate information to all stakeholders. The conduct and organization of CRC should be put in place to allow for a more appropriate observation by political entities' and domestic/international observers. CEC and CRC should consider de-centralizing the work of CRC, in order to share the responsibility and legitimacy of the tabulation, re-counting and audit process, as well as to make the entire process more professional, much faster and easier accessible to local political entities and their observers.

### *Publication of election results*

Final publication of electoral results must be conducted sooner than in these elections, especially for local elections, where final Assembly results of the first round were announced after the 2nd round of elections for Mayors were held. Also, the publication of election results by polling station commission members on the door of each PS, as well as on CEC website provides for increased transparency. K-Vote system is a good practice of CEC, though it needs higher control and explanation to all stakeholders that it does not provide for official and final results of elections, but only a projection of preliminary results.

### *Technical improvements*

Invisible ink and UV lamps shall be tested always in advance and secured to prevent from tampering. CEC should not allow for the preferential votes to be counted by those PSC members that belong to the same political entity as the votes that are being counted. CEC could also consider mixing PSC members between municipalities for future elections to allow for higher impartiality and professionalism, if there are enough funds.

Due to a fact that Kosovo has introduced biometric IDs, the authorities may consider introducing an electronic identification of voters on the polling station, during voting. Based on the Registry of Citizens, members of PSC will have full access to ID details of voters who approached to vote, including the photo. This could be more costly at the beginning, but would allow for a much more efficient, unified and trustworthy mechanism of control of potential misuses by voters, political entities, or PS members.

### *Counting of preferential votes*

Due to a high number of invalid preferential votes in elections in Kosovo, CEC should consider not to allow for preferential votes to be counted by those PS members that belong to the same political entity, whose preferential votes are being counted.

### *Education of citizens and political entities*

CEC should increase citizens knowledge about the entire process, especially once the legal changes have been completed. At the same time, CEC should furthermore educate the public and all political entities about the K-Vote system and its true significance.

## **D. Proposal to the Prosecution and Courts**

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### *Further prosecution of perpetrators of electoral offences*

ENEMO has publicly praised the professionalism and efficiency of investigation and prosecution authorities of Kosovo for their conduct during latest local elections. However, it is of utmost importance for all further elections in Kosovo that all election offences that have happened during these elections are thoroughly investigated and responsible perpetrators are professionally, timely and impartially prosecuted, as well as those that occurred in previous elections.

## **E. Proposal to Independent Media Commission**

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### *Media monitoring reports*

IMC should present its media monitoring reports related to Kosovo elections timely and post it together with the IMC decisions on its website regularly. Further improvement of applied media monitoring methodology (e.g. OSCE/ODIHR observation mission methodology) would benefit the media development in Kosovo society.

### *Monitoring of printed media*

The Parliament and/or IMC should consider introducing precise regulation regarding the conduct as well as monitoring of printed media outlets as well. ENEMO does not understand the reasoning behind only electronic media being observed and potentially fined.

### *Monitoring of internet and social media*

Even though there are no concrete international standards related to the code of conduct of internet media (political blogs, parties' and candidates' websites, on-line media, social networks, etc.) some countries have already developed certain mechanisms of control that could be considered by Kosovo's authorities, at least in the long run, especially due to a rising influence and use of such media in Kosovo and worldwide.

## **F. Proposal to Media and Civil Society**

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### *Voter education*

There is a need for also the media and NGOs to organize voter education campaigns on genuine aspects of a democratic election process and to address main issues of previous electoral malpractices in Kosovo. Family and group voting, frauds and intimidations of voters may reduce the public confidence in the overall electoral process, whereas potential changes of electoral legislation need to be adequately explained to citizens.

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## **ABOUT ENEMO**

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ENEMO is a group of 22 civic organizations from seventeen countries of the former Soviet Union and Central and Eastern Europe. These non-partisan organizations are the leading domestic election

monitoring groups in their respective countries. In total ENEMO member organizations have observed 200 national elections in their countries and more than 100 elections abroad and trained 200 000 election monitors.

The observers for this Election Observation Mission observers are coming from 7 member organizations of ENEMO. The ENEMO observation final report is based on observations of the long-term and short-term observer's and their findings in reference to international standards and national election legislation in every round of Local elections in Kosovo 2013.

ENEMO seeks to support the international community's interest in and promotion of democracy in its region of engagement, to assess electoral processes and the political environment, and to offer correct and impartial observation reports. ENEMO international observation missions evaluate the electoral process using international standards for democratic elections and benchmarks in the assessed country's legislation and constitution.



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## USED ACRONYMS

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<b>AAK</b>	Alliance for the Future of Kosovo (Albanian: Aleanca për Ardhmërinë e Kosovës)
<b>AKR</b>	New Kosovo Alliance (Albanian: Aleanca Kosova e Re)
<b>BD</b>	Democratic Union (Bashkimi Demokratik)
<b>CEC</b>	Central Election Commission (Albanian: Komisioni Qendror i Zgjedhjeve)
<b>CECS</b>	Secretariat of CEC (Albanian: Sekretariati i KQZ-së)
<b>CRC</b>	Count and Results Centre;
<b>DMA</b>	Department of Monitoring and Analysis of IMC
<b>GIS</b>	Civic Initiative Srpska (Serbian: Građanska inicijativa Srpska)
<b>GI SDP</b>	civic initiative: "Građanska inicijativa Sloboda, demokratija, pravda"
<b>ECAP</b>	Elections Complaints and Appeals Panel;
<b>ENEMO</b>	European Network of Election Monitoring Organizations
<b>EOM</b>	Election Observation Mission
<b>ICR</b>	International Civilian Representative
<b>IMC</b>	Independent Media Commission
<b>IQM</b>	Civic Initiative for Malishevë (Inicijativa Qytetare për Malishevën)
<b>(KTAP)</b>	Partia Turke e Drejtësisë në Kosovë
<b>LDD</b>	Democratic League of Dardania (Albanian: Lidhja Demokratike e Dardanisë)
<b>LDK</b>	Democratic League of Kosovo (Albanian: Lidhja Demokratike e Kosovës)
<b>LGE</b>	Law on General Elections
<b>LTO</b>	Long Term Observer
<b>MEC</b>	Municipal Election Commission;
<b>NDI</b>	National Democratic Institute

<b>NGO</b>	Non-governmental organization;
<b>OKV</b>	Outside of Kosovo voting
<b>OPPRC</b>	Office of Political Party Registration and Certification (Albanian: Zyren për Regjistrimin e Partive Politike dhe Certifikim (“Zyra”)).
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>PC</b>	Polling Centre;
<b>PDK</b>	Democratic Party of Kosovo (Albanian: Partia Demokratike e Kosovës)
<b>PISG</b>	Provisional Institutions of Self Government
<b>PS</b>	Polling Station;
<b>PSC</b>	Polling Station Commission;
<b>SLS</b>	Independent Liberal Party (Serbian: Samostalna liberalna stranka)
<b>SKS</b>	Alliance of Kosovo Serbs (Serbian: Savez kosovskih Srba)
<b>SNP</b>	Serbian people's party of Kosovo (Serbian: Srpska narodna partiја Kosova)
<b>STO</b>	Short Term Observer
<b>UNMIK</b>	United Nations Mission in Kosovo
<b>USAID</b>	United States Agency for International Development
<b>VL</b>	Voters' List.
<b>VV</b>	Vetëvendosje